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January 17, 2001

BOX PETITION

Assistant Commissioner for Patents
Washington, DC 20231

Re: SSJR File 03187-P0006B

Serial No. 60/223374

A Process To Improve the Oral Absorption of Polypeptide Drug
Substances and Other Poorly Orally Absorbed Drugs

Dear Sir/Madam:

Enclosed please find our "Petition To Correct Status To Utility Application" to the Patent and Trademark Office (PTO) relative to the above referenced case.

I believe you will find everything you need with regard to the above. If you have any questions at all regarding this matter, kindly contact me at the above numbers.

Sincerely,

Daniel F. Coughlin
dfc@ssjr.com

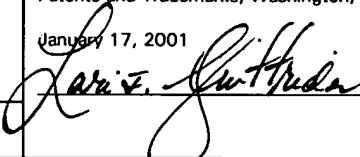
DFC/ljg
Enclosures

New York (212) 730 4554 ☎
New Haven (203) 562 0400 ☎



PATENT
03187-P0006B/DFC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	Zimmer, Robert H.	Mail Certificate: Pursuant to 37 C.F.R. § 1.8(a), I hereby certify that this correspondence is today being deposited with the U.S. Postal Service as first class mail, with sufficient postage attached, in an envelope addressed to: BOX PETITION, Commissioner for Patents and Trademarks; Washington, DC 20231. January 17, 2001 
Serial No.	60/223374	
Title of Application	A Process To Improve the Oral Absorption of Polypeptide Drug Substances and Other Poorly Orally Absorbed Drugs	
Group Art Unit	Examiner	

17 January 2001

BOX PETITION
Assistant Commissioner for Patents
Washington, DC 20231

PETITION TO CORRECT STATUS TO UTILITY APPLICATION

Dear Sir/Madam:

On August 7, 2000, undersigned representative for Applicant filed the above-captioned application by Express Mail with the United States Patent and Trademark Office ("USPTO"). On November 20, 2000, Applicant's representative received a Filing Receipt, mailed November 13, 2000, for the application, a copy of which receipt is attached hereto at Exhibit A. As can be seen from Exhibit A, the Filing Receipt indicated that the instant application was being treated as a provisional application. However, as will be discussed in more detail below, the application was filed as a utility application. Due to the incorrect treatment of the instant application as a provisional application, there has been no substantive examination of the application.

As evidence of Applicant's intent to file the instant application as a utility application, attached hereto at Exhibit B is a copy of a postcard receipt indicating that the application was a utility application and that the filing included 13 sheets of specification and 3 sheets of claims. Also included with the filing was a transmittal letter, attached at

02/05/2001 AUCDAF1 00000011 60223374

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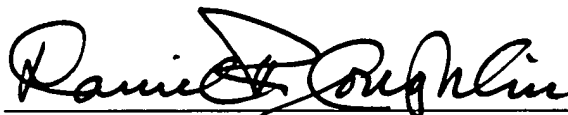
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Exhibit C, referring to the application being filed as a utility application. Also included with the filing was a Utility Patent Application Transmittal form indicating pertinent information for the application. However, through clerical error, a Provisional Application Patent Cover Sheet, a copy of which is attached at Exhibit D, was also included with the filing and it is this paper that was most likely the source of the USPTO's treatment of the instant application as a provisional. However, Applicant's representative wishes to stress that the inclusion of this form was in error and that at all times Applicant intended to treat the instant application as a utility application. As further evidence of this intent, the application as filed contained three pages of claims that, of course, are not required for a provisional patent application.

Based on the facts as provided above, Applicant respectfully requests that this Petition be granted, and that the instant application be properly treated as a utility application, with the filing date of August 7, 2000, and submitted to substantive examination.

The Commissioner is hereby authorized to charge any insufficiency in fees, or to credit any overpayment of fees, to deposit account No. 19-4516.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel F. Coughlin", written over a horizontal line.

Daniel F. Coughlin, Registration No. 36,111
Attorney for Applicants
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